

Appln No.:

N THE UNITED STATES PATENT AND TRADEMARK OFFICE

10/21/2004 Date

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

Joseph E. Shipley Registration No. _

Attorney for Applicant(s)

Filed: January 23, 2004

Applicants: Andrew HALLIDAY et al.

Title: CARTRIDGE FOR THE PREPARATION OF BEVERAGES

Art Unit: 1761

Examiner: Not yet assigned

10/763,534

Attorney Docket No.: 67628

Customer No.:

22242

Mail Stop AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to the duty of disclosure under 37 CFR § 1.56, and in accordance with 37 CFR §§ 1.97 and 1.98, the undersigned attorney cites the following information:

This application is one of a large number of patent applications filed on behalf of Kraft Foods in connection with certain beverage systems. To facilitate USPTO review of the references cited in earlier searches conducted in connection with these applications, copies of search reports associated with these applications are attached, along with copies of non-US references cited therein. Search reports from non-U.S. applications corresponding to this application may be identified by

Attorney Docket Number 67628. Additional references that may potentially be relevant are also cited to ensure compliance with the duty of disclosure.

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The above documents are listed on Form PTO/SB/08 which accompanies this Information Disclosure Statement. In accordance with 37 CFR § 1.98(a)(2), enclosed is a copy of each foreign patent document and non-patent literature document listed. Also enclosed is an English language translation for Japanese Patent Kokai 2000-93309.

The undersigned attorney also cites the following co-pending United States applications:

U.S. PENDING PATENT APPLICATIONS

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It is believed that no fee is required for this communication. However, the Commissioner is hereby authorized to charge any fees which may be required with respect to this communication to Deposit Account No. 06-1135.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

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or Form PTO-1449

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet of 15 1

Application Number	10/763,534
Filing Date	January 23, 2004
First Named Inventor	Andrew HALLIDAY et al.
Art Unit	1761
Examiner Name	Not yet assigned
Attorney Docket	67628

	U.S. PATENT DOCUMENTS								
Examiner	Cite	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines Where Relevant Passages				
Initials*	No.¹	Number-Kind Code ²	MM-DD-YYYY	Applicant of Cited Document	or Relevant Figures Appear				
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Examiner Signature		Date Considered	
	 		

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in

conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08				Application Number	10/763,534
Substitute	for Form PTO-1	1449		Filing Date	January 23, 2004
			CLOSURE	First Named Inventor	Andrew HALLIDAY et al.
STA	TEMENT E	BY AF	PPLICANT	Art Unit	1761
(use as many sheets as necessary)			ecessary)	Examiner Name	Not yet assigned
Sheet	2	of	15	Attorney Docket	67628

			U.S. PATENT D	OCUMENTS	
Examiner Cite		Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines Where Relevant Passages
Initials*	No.1	Number-Kind Code ²	MM-DD-YYYY	Applicant of Cited Document	or Relevant Figures Appea
		US-4,806,375	02/21/1989	Favre	
		US-4,818,544	04/04/1989	Seward	
		US-4,838,152	06/13/1989	Kubicko et al.	
		US-4,846,052	07/11/1989	Favre et al.	
		US-4,853,234	08/01/1989	Bentley et al.	
	ļ	US-4,873,915	10/17/1989	Newman et al.	
		US-4,876,953	10/31/1989	Imamura et al.	
		US-4,886,674	12/12/1989	Seward et al.	
		US-4,917,005	04/17/1990	Knepler	
		US-4,920,870	05/01/1990	Newman et al.	
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		US-5,014,611	05/14/1991	Illy et al.	
		US-5,063,836	11/12/1991	Patel	

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Examiner	Cite	Foreign Patent Document	Publication Date	Name of Patentee or	Pages, Columns, Lines			
Initials*	No.1	Country Code ³ -Number ⁴ -Kind Code ⁵	MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T6		
		EP-0 521 510 A1	01/07/1993	Fond				
		EP-0 524 464 A1	01/27/1993	Fond et al.				
		EP-0 638 486 A1	02/15/1995	Gibbs et al.				
		EP-0 604 615 B1	09/23/1998	Fond et al.				
		EP-0 862 882 A1	09/09/1998	Nello				
		EP-0 870 457 A1	10/14/1998	Fond et al.				
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		EP-0 756 844 B1	05/06/1999	Gotham et al.				
		EP-0 730 425 B1	05/19/1999	Fischer				

Examiner	Date
Signature	Considered
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PTO/SB/08	-			Application Number	10/763,534
Substitute	for Form PTO-	1449		Filing Date	January 23, 2004
	RMATIO			First Named Inventor	Andrew HALLIDAY et al.
STA	STATEMENT BY APPLICANT			Art Unit	1761
(use as many sheets as necessary)			cessary)	Examiner Name	Not yet assigned
Sheet	Sheet 3 of 15		Attorney Docket	67628	

			U.S. PATENT D	OCUMENTS		
Examiner Cit		Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines Where Relevant Passages	
Initials*	No.¹	Number-Kind Code ²	MM-DD-YYYY	Applicant of Cited Document	or Relevant Figures Appear	
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		US-5,082,676	01/21/1992	Love et al.		
		US-5,134,924	08/04/1992	Vicker		
		US-5,178,058	01/12/1993	van Dort et al.		
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		US-5,186,096	02/16/1993	Willi		
		US-5,197,374	03/30/1993	Fond		
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		US-5,259,295	11/09/1993	Timm		
		US-5,265,520	11/30/1993	Giuliano		
		US-5,272,960	12/28/1993	Kinna		
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Examiner	Cite	Foreign Patent Document	Publication Date	Name of Patentee or	Pages, Columns, Lines Where Relevant Passages			
Initials*	No.1	Country Code ³ -Number ⁴ -Kind Code ⁵	MM-DD-YYYY	Applicant of Cited Document	or Relevant Figures Appear	T⁵		
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		EP-1 090 574 A1	04/11/2001	Kollep et al.				
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		EP-1 153 561 A1	11/14/2001	Kollep et al.				
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		EP-0 862 882 B1	07/03/2002	Nello		L		
		EP-1 255 685 A1 (WO 01/58786 A1)	11/13/2002	Halliday et al.				

Examiner Signature	Date Considered	
Oignature	00113140104	<u> </u>

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PTO/SB/08		1440		Application Number	10/763,534
Substitute	for Form PTO-	1449		Filing Date	January 23, 2004
	PRMATION			First Named Inventor	Andrew HALLIDAY et al.
STA	TEMENT L	BY AP	PLICANT	Art Unit	1761
(use as many sheets as necessary)				Examiner Name	Not yet assigned
Sheet 4 of 15		Attorney Docket	67628		

_	U.S. PATENT DOCUMENTS								
Examiner Cite		Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines Where Relevant Passages				
Initials*	No.¹	Number-Kind Code ²	MM-DD-YYYY	Applicant of Cited Document	or Relevant Figures Appear				
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		US-5,327,815	07/12/1994	Fond et al.					
		US-5,343,799	09/06/1994	Fond					
		US-5,347,916	09/20/1994	Fond et al.					
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		US-5,375,508	12/27/1994	Knepler et al.					
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		US-5,440,972	08/15/1995	English					
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		US-5,472,719	12/05/1995	Favre					
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Examiner	Cite	Foreign Patent Document	Publication Date	Name of Patentee or	Pages, Columns, Lines	Ī			
Initials*	No.1	Country Code ³ -Number ⁴ -Kind Code ⁵	MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T ⁶			
		EP-1 255 685 B1	04/28/2004	Halliday et al.					
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		GB-828 529 A	02/17/1960	Jessel					
		GB-1 215 840 A	12/16/1970	Lampe					

Examiner	•	Date	
Signature		Considered	

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Applicant's unique citation designation number (optional).

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PTO/SB/08A				Application Number	10/763,534
Substitute	for Form PTO-1	449		Filing Date	January 23, 2004
INFORMATION DISCLOSURE				First Named Inventor	Andrew HALLIDAY et al.
STA	TEMENT B	Y AF	PPLICANT	Art Unit	1761
(use as many sheets as necessary)			necessary)	Examiner Name	Not yet assigned
Sheet	5	of	15	Attorney Docket	67628

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Examiner Cite		Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines Where Relevant Passages				
Initials*	No.1	Number-Kind Code ²	MM-DD-YYYY	Applicant of Cited Document	or Relevant Figures Appear				
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Examiner	Cite	Foreign Patent Document	Publication Date	Name of Patentee or	Pages, Columns, Lines Where Relevant Passages			
Initials*	No.1	Country Code ³ -Number ⁴ -Kind Code ⁵	MM-DD-YYYY	Applicant of Cited Document	or Relevant Figures Appear	T6		
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Examiner	Date	
Signature	Considered	

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PTO/SB/08A Substitute for Form PTO-1449				Application Number	10/763,534
Substitute	for Form P1O-	1449		Filing Date	January 23, 2004
	DRMATION			First Named Inventor	Andrew HALLIDAY et al.
STA	TEMENT E	BY AP	PLICANT	Art Unit	1761
(use as many sheets as necessary)			ecessary)	Examiner Name	Not yet assigned
Sheet	6	of	15	Attorney Docket	67628

	U.S. PATENT DOCUMENTS								
Examiner Cite		Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines Where Relevant Passages				
Initials*	No.¹	Number-Kind Code ²	MM-DD-YYYY	Applicant of Cited Document	or Relevant Figures Appea				
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	FOREIGN PATENT DOCUMENTS								
Examiner	Cite	Foreign Patent Document	Publication Date	Name of Patentee or	Pages, Columns, Lines Where Relevant Passages				
Initials*	No.1	Country Code ³ -Number ⁴ -Kind Code ⁵	MM-DD-YYYY	Applicant of Cited Document	or Relevant Figures Appear	T ⁶			
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Examiner	Date	
Signature	Considered	

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PTO/SB/08A				Application Number	10/763,534
Substitute	Substitute for Form PTO-1449			Filing Date	January 23, 2004
	ORMATION		_	First Named Inventor	Andrew HALLIDAY et al.
STA	TEMENT L	BY AP	PLICANT	Art Unit	1761
(use as many sheets as necessary)			ecessary)	Examiner Name	Not yet assigned
Sheet	7	of	15	Attorney Docket	67628

			U.S. PATENT D	OCUMENTS	
Examiner	Cite	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines Where Relevant Passages
Initials*	No.1	Number-Kind Code ²	MM-DD-YYYY	Applicant of Cited Document	or Relevant Figures Appear
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Examiner	Cite	Foreign Patent Document	Publication Date	Name of Patentee or	Pages, Columns, Lines	Γ	
Initials*	No.1	Country Code ³ -Number ⁴ -Kind Code ⁵	MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T ⁶	
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Examiner	Date	
Signature	Considered	

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PTO/SB/08	-			Application Number	10/763,534
Substitute	for Form PTO-1	449		Filing Date	January 23, 2004
	DRMATION		-	First Named Inventor	Andrew HALLIDAY et al.
STA	STATEMENT BY APPLICANT			Art Unit	1761
(use as many sheets as necessary)			necessary)	Examiner Name	Not yet assigned
Sheet	8	of	15	Attorney Docket	67628

			U.S. PATENT D	OCUMENTS	
Examiner	Cite	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines Where Relevant Passages
Initials*	No.1	Number-Kind Code ²	MM-DD-YYYY	Applicant of Cited Document	or Relevant Figures Appear
		US-6,182,554 B1	02/06/2001	Beaulieu et al.	,
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	FOREIGN PATENT DOCUMENTS							
Examiner	Cite	Foreign Patent Document	Publication Date	Name of Patentee or	Pages, Columns, Lines			
Initials*	No.1	Country Code ³ -Number ⁴ -Kind Code ⁵	MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T ⁶		
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		WO-03/065859 A3	12/31/2003	Green				

Examiner	Date	
Signature	Considered	

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PTO/SB/08		440		Application Number	10/763,534
Substitute	for Form PTO-1	449		Filing Date	January 23, 2004
	DRMATION			First Named Inventor	Andrew HALLIDAY et al.
STA	STATEMENT BY APPLICANT			Art Unit	1761
(use as many sheets as necessary)			necessary)	Examiner Name	Not yet assigned
Sheet	9	of	15	Attorney Docket	67628

			U.S. PATENT D	OCUMENTS	-
Examiner Cit		Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines Where Relevant Passages
Initials*	No.1	Number-Kind Code ²	MM-DD-YYYY	Applicant of Cited Document	or Relevant Figures Appear
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Examiner	Cite	Foreign Patent Document	Publication Date	Name of Patentee or	Pages, Columns, Lines Where Relevant Passages			
Initials*	No.1	Country Code ³ -Number ⁴ -Kind Code ⁵	MM-DD-YYYY	Applicant of Cited Document	or Relevant Figures Appear	T ⁶		
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Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08		1.440		Application Number	10/763,534
Substitute	for Form PTO-	1449		Filing Date	January 23, 2004
	DRMATIO			First Named Inventor	Andrew HALLIDAY et al.
STA	STATEMENT BY APPLICANT			Art Unit	1761
(use as many sheets as necessary)			cessary)	Examiner Name	Not yet assigned
Sheet	10	of	15	Attorney Docket	67628

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Examiner Cit		Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines Where Relevant Passages		
Initials*	No.¹	Number-Kind Code ²	MM-DD-YYYY	Applicant of Cited Document	or Relevant Figures Appea		
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	Cite	Foreign Patent Document	Publication Date	Name of Patentee or	Pages, Columns, Lines	Γ	
	No.1	Country Code ³ -Number ⁴ -Kind Code ⁵	MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	7	
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Examiner	Date	
Signature	Considered	

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PTO/SB/08		440		Application Number	10/763,534	
Substitute	for Form PTO-1	449		Filing Date	January 23, 2004	
	ORMATION			First Named Inventor	Andrew HALLIDAY et al.	
STA	STATEMENT BY APPLICANT			Art Unit	1761	
(use as many sheets as necessary)				Examiner Name	Not yet assigned	
Sheet	11	of	15	Attorney Docket	67628	

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Examiner	Cite	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines Where Relevant Passages			
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Examiner Cite	Cite	Foreign Patent Document	Publication Date	Name of Patentee or	Pages, Columns, Lines Where Relevant Passages	
Initials*	No.1	Country Code ³ -Number ⁴ -Kind Code ⁵	MM-DD-YYYY	Applicant of Cited Document	or Relevant Figures Appear	T ⁶
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PTO/SB/08		440		Application Number	10/763,534
Substitute	for Form PTO-1	449		Filing Date	January 23, 2004
	DRMATION	_		First Named Inventor	Andrew HALLIDAY et al.
STA	STATEMENT BY APPLICANT (use as many sheets as necessary)			Art Unit	1761
(L				Examiner Name	Not yet assigned
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Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T²
		The United Kingdom Patent Office Combined Search and Examination Report for GB 0301709.2 dated 8 May 2003. (Attorney Docket 67638)	
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PTO/SB/08	_	4.40		Application Number	10/763,534
Substitute	for Form PTO-1	449		Filing Date	January 23, 2004
	RMATION			First Named Inventor	Andrew HALLIDAY et al.
STA	STATEMENT BY APPLICANT			Art Unit	1761
(use as many sheets as necessary)				Examiner Name	Not yet assigned
Sheet	13	of	15	Attorney Docket	67628

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Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
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Signature	Considered	

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PTO/SB/08B Substitute for Form PTO-1449		Application Number	10/763,534			
Substitute for Form P10-1449				Filing Date	January 23, 2004	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				First Named Inventor	Andrew HALLIDAY et al.	
			PPLICANT	Art Unit	1761	
			ecessary)	Examiner Name	Not yet assigned	
Sheet	14	of	15	Attorney Docket	67628	

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Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T²
		European Patent Office Search Report for EP 04 25 0382.1 dated May 7, 2004. (Attorney Docket 67629)	
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PTO/SB/08			Application Number	10/763,534	
Substitute for Form PTO-1449				Filing Date	January 23, 2004
INFORMATION DISCLOSURE				First Named Inventor	Andrew HALLIDAY et al.
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)	PLICANT	Art Unit	1761		
(use as many sheets as necessary)			cessary)	Examiner Name	Not yet assigned
Sheet	15	of	15	Attorney Docket	67628

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